IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 6911 of 2007(W)

PETITIONER:

P.GOPALAN,
"AISWARYA", ELP. VIII/35, NEAR ELAYAVOOR TEMPLE,
MUNDAYAD, KANNUR DISTRICT.

BY ADV. SRI.P.JACOB VARGHESE
SRI.K.B.ARUN
SRI.TOM JOSE (PADINJAREKARA)
SRI.VIVEK VARGHESE P.J.
SRI.V.MANOJ KUMAR
SMT.PRAISHEEL PRAKASAM
SRI.VARUGHESE M EASO

RESPONDENTS:
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1. DISTRICT COLLECTOR,
KANNUR.

2. THE COMMISSIONER,
LAND REVENUE, TRIVANDRUM.

3. THE STATE OF KERALA, REP. BY
SECRETARY TO GOVERNMENT, SECRETARIAT,
TRIVANDRUM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 6911 OF 2007

Dated this the 19th March, 2007.

JUDGMENT

The petitioner retired from the post of Tahsildar on 31.5.2002. It is contended that there was inordinate delay in disbursing the DCRG and therefore the petitioner is entitled to claim interest at the rate of 12% on Rs.2,13,890/-. He has calculated the amount of interest as Rs.74,861.50 for the period from 1.7.2002 to 31.5.2003. Ext.P6 representation claiming interest by the petitioner is pending with the second respondent. Counsel for the petitioner submits that this Court may direct the second respondent to take early decision on Ext.P6.

2. Heard Govt. Pleader for the respondents.

3. In the circumstances there shall be an order directing the second respondent to consider Ext.P6, pass appropriate orders and communicate the same to the petitioner within two months from the date of receipt of a copy of judgment.

4. Another prayer made in the writ petition is for a direction to promote the petitioner as Deputy Collector with effect from 8.3.2001 and to pay consequential benefits to him. The petitioner has not made any request in this behalf before the competent authority. A writ of mandamus

can be sought for only if the person who seeks that relief has got a legal right and has made a demand to the competent authority to grant the benefits arising out of that right. The petitioner, if so advised, is free to file appropriate representation before the competent authority. If such a representation is filed, the same shall have to be considered by that authority and appropriate decision taken. With the above observation and directions this writ petition is disposed of.

K.K.DENESAN
Judge

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